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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,372	07/18/2003	Shiro Akiyama	10517/178 4051	
23838 KENYON & K	7590 03/28/2007 FNYON LLP	EXAMINER		
1500 K STREET N.W. SUITE 700 WASHINGTON, DC 20005			YUAN, DAH WEI D	
			ART UNIT	PAPER NUMBER
	-,		1745	
			MAIL DATE	DELIVERY MODE
			03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/621,372	AKIYAMA ET AL.		
Examiner	Art Unit		
Dah-Wei D. Yuan	1745		

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The MAILING DATE of this communication appe	ars on the cover sheet with the d	orrespondence add	ress				
THE REPLY FILED 13 March 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.							
1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:							
a) The period for reply expires 3 months from the mailing date	e of the final rejection.						
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. I no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN							
	TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).						
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
NOTICE OF APPEAL	cliance with 27 CED 41 27 must be	filed within two month	ha af tha data af				
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).							
AMENDMENTS 3. The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brief	will not be entered b	ocauco				
(a) They raise new issues that would require further co			ecause				
(b) They raise the issue of new matter (see NOTE belo	•	,,					
(c) They are not deemed to place the application in be appeal; and/or		ducing or simplifying	the issues for				
(d) ☐ They present additional claims without canceling a	corresponding number of finally rej	ected claims.					
NOTE: See Continuation Sheet. (See 37 CFR 1.1	* **						
4. The amendments are not in compliance with 37 CFR 1.1		mpliant Amendment	(PTOL-324).				
5. Applicant's reply has overcome the following rejection(s)							
 Newly proposed or amended claim(s) would be a non-allowable claim(s). 		_	_				
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		ll be entered and an e	explanation of				
Claim(s) allowed:							
Claim(s) objected to:							
Claim(s) rejected: <u>1-16</u> . Claim(s) withdrawn from consideration: <u>17-21</u> .							
AFFIDAVIT OR OTHER EVIDENCE		٠					
8. The affidavit or other evidence filed after a final action, bubecause applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).							
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar	overcome all rejections under appe	al and/or appellant fa	ils to provide a				
10. 🗌 The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.							
REQUEST FOR RECONSIDERATION/OTHER	it does NOT place the application in	a condition for allows	noo hoogusa:				
11. The request for reconsideration has been considered by	of does NOT place the application if	n condition for allowa	nce because.				
12. Note the attached Information Disclosure Statement(s).13. Other:	(PTO/SB/08) Paper No(s).						

Continuation of 3. NOTE: The recitation "wherein the protruding portions of the separaotrs adjacent to each other are formed so as to be displaced with respect to each other in the cell stacked direction and offset from one another in the direction perpendicular to the cell stacked direction" in claim 1 is a new issue that requires further consideration and search.

DAH-WEIYUAN PRIMARY EXAMINED